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9 UNITED STATES OF AMERICA

10 UNITED STATES DISTRICT COURT

11 FOR THE CENTRAL DISTRICT OF CALIFORNIA

12 UNITED STATES OF AMERICA,

13 Plaintiff,

14 v.

15 DERRICK PATTERSON,  
aka "11in,"  
16 aka "11-inches,"  
17 aka "11 inches Hung,"

No. 2:22-CR-00155-JFW

GOVERNMENT'S EX PARTE APPLICATION  
REQUESTING THAT VICTIM STATEMENTS  
BE HEARD IN CAMERA

1 Plaintiff United States of America, by and through its counsel  
2 of record, the United States Attorney for the Central District of  
3 California and Assistant United States Attorney Jeremiah Levine,  
4 hereby makes this ex parte application for victim statements to be  
5 heard in camera.

6 Dated: October 7, 2022

Respectfully submitted,

7 E. MARTIN ESTRADA  
United States Attorney

8 SCOTT M. GARRINGER  
9 Assistant United States Attorney  
Chief, Criminal Division

10  
11 /s/ Jeremiah Levine  
JEREMIAH LEVINE  
12 Assistant United States Attorney

13 Attorneys for Plaintiff  
14 UNITED STATES OF AMERICA  
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**MEMORANDUM OF POINTS AND AUTHORITIES**

Federal Rule of Criminal Procedure Rule 32(i)(4)(B) says, "Before imposing sentence, the court must address any victim of the crime who is present at sentencing and must permit the victim to be reasonably heard." The next section of the Rule, which is 32(i)(4)(C), says: "Upon a party's motion and for good cause, the court may hear in camera any statement made under Rule 32(i)(4)." As result, this Court may choose to hear victim statements in camera upon a showing of good cause.

This case concerns a series of robberies. The government alleges that defendant lured his robbery victims using the promise of homosexual encounters. The government further alleges that sometimes defendant even used homosexual contact to distract victims to advance the robberies.

Several of the victims in this case have expressed interest in making statements at sentencing. Several have also expressed that the trauma of their robberies made them scared to do so. The government believes that this is particularly understandable given that some of the robberies involved the promise or reality of stigmatized homosexual contact.

For these reasons, the government respectfully requests that victims be allowed to testify in camera, in the presence of defense counsel but not defendant. Defense counsel takes no position on this request.